



PLANNING COMMISSION MINUTES

Meeting of October 8, 2015

City Hall Council Chambers * 290 North 100 West Logan, UT 84321 * www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, October 8, 2015. Vice-Chairman Price called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Butterfield, Tom Jensen, Dave Newman, Tony Nielson, Russ Price, Sara Sinclair

Planning Commissioners Absent: Amanda Davis

Staff Present: Mike DeSimone, Russ Holley, Amber Reeder, Kymber Housley, Lance Houser, Paul Taylor, Craig Humphreys, Debbie Zilles

Minutes as written and recorded from the September 10, 2015 meeting were reviewed. Commissioner Jensen moved that the minutes be approved as submitted. Commissioner Nielson seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 15-048 Starbucks & Retail Bldg [Design Review Permit] Terraform Companies/JKR Four 730 South Main LLC, authorized agent/owner, request two commercial buildings with a Starbucks on the north lot and a 5,900 SF multi-tenant retail building on the south. The project involves a portion of two (2) parcels owned by Mountain America Credit Union on 1.08 acres located at 730 South Main Street in the Commercial (COM) zone; TIN 02-063-0025.

STAFF: Mr. Holley reviewed the request for a 2,200 SF Starbucks commercial building and a 5,906 SF multi-tenant retail building. The proposal includes streetscape and landscaping improvements, a 77-stall parking lot and outdoor patio areas. The project site is the existing 1.08 acre property and an additional 0.36 acres (15,711 SF) to the north through a pending boundary line adjustment with Mountain America Credit Union, bringing the total project site to 1.42 acres (62,284 SF). The existing antique store and accessory building in the rear yard will be demolished.

PROPONENT: Elliot Smith, from Terraform Companies, answered for Chairman Price that they would ideally like a single tenant for the retail building, however, it could possibly be two. They have only had the property for a couple of months so they do not have any contracts yet.

Commissioner Jensen asked about traffic circulation related to the drive-thru and suggested removing the bulb out to allow more room and options for drivers. Mr. Smith said they are happy to address the concern to help alleviate any conflicts.

Mr. Smith pointed out that the entrance off Main Street has been widened.

PUBLIC: None

COMMISSION: Commissioner Newman asked about exterior lighting. Mr. Holley explained that lighting will be submitted and reviewed by staff at the building permit stage and will be required to adhere to all applicable regulations.

Mr. Holley clarified for Commissioner Jensen that the materials consist of brick, horizontal siding and stucco.

Commissioner Jensen questioned condition of approval 14 “...*reduce impacts of the gas station*”. Mr. Holley said this was an error and the wording will be removed.

Commissioner Jensen questioned whether there would be a cross easement to the Niederhauser property to the south. Mr. Holley said there are none at this time, it is currently stubbed and intended for shared use with future redevelopment.

Commissioner Jensen asked about installation of the median. Mr. Holley explained that is a UDOT requirement, therefore, it would need to be constructed as part of this permit (similar to the one in front of Wendy’s on the south end which laid on top of the asphalt).

Commissioner Jensen asked if the door on the west façade, identified on the re-submittal, was a functioning entrance. Mr. Holley said it opens into an employee space; pedestrians will be guided around to the customer door.

Commissioner Jensen said he is happy with the required median, making it a controlled intersection. He thinks this is a good project.

Commissioner Nielson asked how the cross access drive affects the Niederhauser property. Mr. Smith said they are not planning on using the south access and intend on adding a curb to prevent access.

Commissioner Nielson asked about the dumpster area. Mr. DeSimone clarified that it will be required to be enclosed. Mr. Smith said they are intending to screen the enclosed dumpster area for aesthetic purposes.

Mr. Smith clarified that the median will be just north of where the Y begins, per UDOT’s requirement.

Chairman Price pointed out that the hope is to see activity placed along Main Street. This project has the back of the building toward Main Street. Although he understands the reasons for the layout design and that the requirements have been met, he would like to find more ways to encourage Main Street to become an avenue of commerce.

MOTION: Commissioner Sinclair moved to **conditionally approve** a Design Review Permit as outlined in PC 15-048 with the amended conditions of approval as listed below. Commissioner Jensen seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The Planning Commission accepts the re-submittal drawing at the meeting for the Starbucks building that shows windows, doors and sidewalk connection on the Main Street facade.
3. The multi-tenant building shall have two (2) street-facing doors with weather protection above and open and functioning during business hours.
4. A boundary line adjustment with the Mountain America Credit Union to the north shall be completed and approved prior to a building permit being issued.

5. A Performance Landscaping Plan, prepared in accordance with LDC §17.39, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a. Street trees along all adjacent streets provided every 30' on center unless otherwise noted by the City Forrester.
 - b. Open Space and Useable Outdoor areas shall total a minimum of 12,371 SF.
 - c. A total number 29 trees and 73 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
 - d. The drive-thru shall be buffered and screened from Main Street with shrubs and flowers.
 - e. The interior parking lot landscaping shall have a minimum of 36 SF of landscaping for every parking stall.
6. All dumpsters shall be visually screened or buffered from public streets by using landscaping, fencing or walls.
7. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
8. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties, in particular the residential uses to the east.
9. No signs are approved with this permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
10. No fences are approved with this permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
11. Prior to issuance of a building permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Environmental
 - i. Minimum 60' straight on access is required. A triple dumpster enclosure is not needed unless a mixed recycle dumpster is also desired. Generally a garbage dumpster and a cardboard recycle dumpster can be shared between businesses to help minimize the space requirements. The minimum inside measurement of a double enclosure is 10' deep x 22' wide without gates. With gates it is 24' wide. Install bollards in the back of the enclosure to protect the walls and an 8' pad in front of the enclosure to protect the asphalt. Minimum inside measurement of a triple enclosure is 10' deep and 32' wide.
 - b. Water
 - i. All buildings water mains will need to have a minimum DC (ASSE-1015) backflow assembly (per degree of hazard) installed and tested as they enter the buildings before any branch offs.
 - ii. All landscaping irrigation must have a high-hazard rated backflow assembly such as a RP (ASSE-1013) or PVB (ASSE-1020) and tested.
 - iii. If a fire suppression system is required in either building, then a minimum DCDA (ASSE1048) backflow assembly is required to be installed and tested.
 - iv. All other Utah currently adopted 2012 IPC backflow rules must be followed.
 - c. Engineering
 - i. Must comply with all access requirements, cross access agreements, right-of-way dedication and street improvements required by UDOT and CAMP.
 - ii. Complete a boundary line adjustment of the effected parcels
 - iii. Site must comply with current City/UDOT design and construction standards for utilities, stormwater, land disturbances and road improvements.
 - iv. Provide water shares or in-lieu of fee for all increased water demand from previous use.
 - d. Fire
 - i. (IFC 503.1.1) Fire Apparatus Access shall extend to within 150' of all portions of the facility as measured by an approved route around the exterior of the building.
 - ii. Fire Apparatus Access from Main Street on the west and the drive between the buildings appear to provide apparatus access within 150' of all portions of the facility as measured by an approved route around the exterior of the building.

- iii. (IFC 507.5.1) Fire Hydrants shall be located within 400' of the building as measured by an approved route around the exterior of the building.
- iv. Fire hydrant FH00640 is located on the east side of Main Street at 730 S. Main and within 400' of all areas of the buildings.
- v. (IFC 507.1) An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3) Fire flow requirements for buildings or portions of building and facilities shall be determine by an approved method.
- vi. According to Table B105.1 the fire flow for a 5,906 SF building of type VB construction is 2,000 gpm.
- vii. According to the Logan City Engineering Fire Flow model:
- viii. FH00640 located at 698 S. Main on the east side of Main Street has a fire flow of 5,770 gpm @ 20 psi.
- ix. FH00647 located at 730 S. Main on the east side of Main Street has a fire flow of 4,893 gpm @ 20 psi.
- x. It appears that the fire flow is adequate.

FINDINGS FOR APPROVAL

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The project provides adequate open and useable outdoor space in conformance with Title 17.
4. The project provides adequate off-street parking.
5. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways and is designed in way for easy circulation of both pedestrian and vehicles.
6. The project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. Main Street provides access and is adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: Commissioner Sinclair Seconded: Commissioner Jensen **Passed: 6-0**

Yea: D. Butterfield, T. Jensen, D. Newman, T. Nielson, R. Price, S. Sinclair Nay: Abstain:

OTHER BUSINESS

Prior to the meeting Logan City Attorney, Kymber Housley, provided an update on the Open & Public Meeting Act, which was enacted upon the premise that the state, its agencies, and its political subdivisions exist to conduct the people's business. As such, a public body should deliberate and take action openly.

Substantive 2015 Amendments to the Open & Public Meeting Act include:

HB 117 – Removes provisions that exempt certain local public bodies that have an annual budget of less than \$1 million dollars from public notice requirements.

HB 251 – Includes an interlocal entity or a joint cooperative undertaking in the definition of a “public body” (a copy of the summary was distributed to Commission members).

Commissioner Jensen said he agreed with Chairman Price's comment about fronting activity on Main Street, which works well in an urban setting, however, this is still a somewhat suburban area in the sense that it is parking lot driven. As the Valley urbanizes, he would like to see it become more Main Street pedestrian friendly.

Commissioner Jensen noted that during the discussion for the Maverik project on 200 North 1000 West (PC 15-034) he heard that "*it was approved by UDOT*" when in reality it had not been formally approved. The concern he has (not to protest or rehash the project) is the need to be educated on the UDOT/CAMP (Cache Access Management Program) to avoid any future misunderstanding or miscommunication. He suggested that staff use very clear and accurate wording when presenting projects.

Chairman Price agreed with the need for education and asked staff to help provide training.

Mr. DeSimone appreciated the need for the Commission to be educated and informed. He explained that the idea in the previous meeting's discussion was to inform the Commission that it had gone through the preliminary process for approval. Decisions regarding a state road are outside the Commission's purview. If a denial is desired, there needs to be findings to support the denial. Ultimately staff will help the Commission make informed decisions.

Commissioner Butterfield agreed that the necessity to be as accurate as possible is critical. Understanding the process will help with interpreting the information that is presented. Mr. DeSimone agreed and noted that sometimes projects are refined as they are developed and some of the specifics can be adjusted (while still meeting the requirements).

Commissioner Jensen pointed out that had Maverik not been on a state road, more questions about access/circulation would have been asked rather than having the mindset of "since UDOT has approved it, I don't have to consider ...". Mr. DeSimone agreed and explained that even with projects that are not on a UDOT road, there is a fine line to where the Commission can become involved. Ultimately it comes down to technical standards that need to be met, which are reviewed by the Engineering Department.

Commissioner Nielson said it was confusing regarding 200 North, which is a UDOT road, and 1100 West (the right-of-way) during the Maverik project discussion. Mr. DeSimone explained that Maverik will develop half of the road on 1100 West. Ms. Reeder said the City is still working with the property owner(s) to the west; however, with what has been platted there is enough room to provide a functional 2-way road to use. Mr. Housley, the City Attorney, noted that future development could be conditioned upon the right-of-way development of the road.

Commissioner Price thanked the Staff for all their work.

WORKSHOP ITEMS for October 22, 2015

- ✓ PC 15-049 Canyon Landscaping [Conditional Use, Zone Change, Code Amendment]
- ✓ PC 15-050 LDC Amendment - Outdoor Storage

Meeting adjourned at 6:37 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of October 8, 2015.

Michael A. DeSimone
Community Development Director

Amanda Davis
2015 Planning Commission Chair

Russ Holley
Senior Planner

Amber Reeder
Planner II

Debbie Zilles
Administrative Assistant